File #: 1997, **Version:** 1

Subject:
Legislative Update - Resort Dwellings

Fiscal Impact:
FY19/20: None
FY20/21: None

Dept/Office:
Planning & Development

Requested Action:
It is requested that the Board of County Commissioners direct staff to seek legislative intent regarding zoning code revisions and/or provide direction regarding tools to assist the public in understanding current or proposed code as it relates to allowance of resort dwellings in specific zoning classifications

Summary Explanation and Background:
On February 11, 2020, the Board of County Commissioners (Board) requested that Planning & Development (P&D) monitor proposed Florida Senate and House bills pertaining to resort dwellings and preemption of regulation to the State. It was further requested that staff provide a report to the Board once those bills reached their respective conclusions. Both Senate Bill 1128 and House Bill 1101 were indefinitely postponed, withdrawn from consideration and died at the close of the legislative session. Therefore, current Brevard County Code regulations regarding resort dwellings have not been preempted to any further extent and remain unchanged.

Staff has developed a decision tree tool and maps to assist both Planning & Zoning employees and the public in understanding the current regulations. These tools could be uploaded to the Planning & Development website for use by the public. However, Code language remains convoluted and, even with the decision tree tool and maps, confirmation of code interpretation is recommended by staff to ensure that best available data is being used to determine permissibility of resort dwellings on a particular property. Lastly, staff can only advise the public regarding properties in unincorporated Brevard County, and a patchwork of regulations remains in place for other municipalities.

Clerk to the Board Instructions:
None